

Application No. 09/856,836

APPLICANTS' ELECTION

Applicants hereby elect the invention of Group III, claims 14-29 and new claims 78-80, drawn to polynucleotides, a vector, a host and a method of making the polypeptide for prosecution at this time. Applicants further elect the sequence of SEQ ID NO:1

REMARKS

Claims 1-77 are now pending in the subject U.S. patent application. Claims 1-77 as filed have been subjected to a Restriction/Election Requirement. Claims 68-74 have been canceled and claims 78-80 have been added. This amendment has been made to more particularly point out and distinctly claim an aspect of the present invention.

In response to the Restriction/Election Requirement, applicants have elected the claims of Group III, claims 14-29 and new claims 78-80, and SEQ ID NO:1 for prosecution at this time. Support for the addition of new claims 78-80 can be found, among other places, in canceled claims 68-74; at page 48, line 16 through page 49, line 10; and page 67, line 3 through page 68, line 32, in the subject U.S. patent application as filed. No new matter has been added. In view of the cancellation of claims 68-74, no new claims fees are believed to be due.

The Restriction Requirement references SEQ ID NOs: 3 and 5. It is respectfully submitted that no such SEQ ID NOs are believed to be recited in the claims of the subject U.S. patent application. Clarification is respectfully requested.

Applicants hereby reserve the right to file one or more divisional patent applications directed to the unelected subject matter.

CONCLUSIONS

Should there be any minor issues outstanding in this matter, Examiner Seharaseyon is respectfully requested to telephone the undersigned attorney. Early passage of the subject application to issue is earnestly solicited.

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Deposit Account

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment associated with the filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

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